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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 ARMANDO HERNANDEZ,

No. 1:20-cv-01019-KES-SAB (PC)

11 Plaintiff,

12 v.
13 OGBOEHI, et al.,
14 Defendants.

ORDER DIRECTING COMPLETION OF
THE COURT'S CONSENT/DECLINE
FORM WITHIN TEN DAYS

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17 Plaintiff Armando Hernandez is proceeding pro se and in forma pauperis in this civil rights
18 action filed pursuant to 42 U.S.C. § 1983. Following remand from the United States Court of
19 Appeals for the Ninth Circuit, this action proceeds on plaintiff's retaliation claim against
20 defendant Gonzales. The Court's review of the docket indicates that at least one party has not
21 completed this Court's Consent/Decline Form indicating whether the party consents or declines
22 to consent to magistrate judge jurisdiction.

23 The Eastern District of California has one of the heaviest district judge caseloads in the
24 country. Though the Court will use its best efforts to resolve this case and all other civil cases in
25 a timely manner, the parties are informed that the Court is now setting multiple trials to begin
26 upon the same date, and as a result the parties may find their case trailing another case on the
27 scheduled trial date. The law requires the Court give criminal trials priority over civil trials, even
28 if a civil case is older or a civil trial was set earlier. If multiple trials are scheduled to begin on

1 the same day, the civil trial in this case may trail other cases week to week until completion of
2 any criminal trial or older civil case.

3 The parties are reminded of the availability of a United States magistrate judge to conduct
4 all proceedings in this action. A United States magistrate judge is available to conduct civil trials,
5 including entry of final judgment, pursuant to 28 U.S.C. § 636(c), Federal Rule of Civil
6 Procedure 73, and Local Rule 301. The magistrate judges of this district are highly experienced
7 trial judges. As magistrate judges do not hear felony criminal trials, civil cases set before
8 them do not trail criminal cases. The same jury pool is used by both United States magistrate
9 judges and United States district judges. The parties are informed that no substantive rulings
10 or decisions will be affected by whether a party chooses to consent. The Court also does not
11 take any position on the merits of any claim or defense in this case by issuing this Order.

12 | Accordingly,

13 1. The Clerk of Court is directed to send the parties a copy of the Court's
14 Consent/Decline Form.

15 2. Within ten days from the date of service of this Order, any party that has not already
16 submitted the Consent/Decline Form shall complete and return the Form.

19 IT IS SO ORDERED.

20 | Dated: May 28, 2025

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UNITED STATES DISTRICT JUDGE